

U.S. DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

FEB 10 2006

FILED

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Kevin D. Hall

v.

Civil No. 05-381-JD

Cheshire County Department
of Corrections, et al.

O R D E R

Pro se plaintiff Kevin D. Hall has filed a complaint, pursuant to 42 U.S.C. § 1983, alleging that defendants denied him adequate medical care in violation of his rights under the Eighth and Fourteenth Amendments to the United States Constitution (doc. nos. 2 and 5). He brings this action against the Cheshire County Department of Corrections ("CCDOC"), the CCDOC Medical Department, an unnamed CCDOC doctor, CCDOC Superintendent Richard N. Van Wickler and several CCDOC corrections officers. Also named as a defendant is Roger Zerba, Cheshire County Commissioner.

In addition, Hall has filed motions for appointment of counsel (document no. 2) and a request for copies of the complaint and amendment thereto (document no. 8). The complaint is before me for preliminary review to determine whether, among

other things, it states a claim upon which relief may be granted. See 28 U.S.C. § 1915A; U.S. District Court for the District of New Hampshire Local Rule ("LR") 4.3(d)(2).

Without commenting on the merits of the complaint, and for the reasons stated in the report and recommendation issued simultaneously herewith, I find that Hall has alleged Eighth Amendment denial of adequate medical care claims against Van Wickler, Cook and the unnamed CCDOC doctor. I further find that he has alleged a Fourteenth Amendment equal protection claim against Van Wickler. I have recommended dismissal of all remaining claims. I have also recommended that the motions for appointment of counsel and request for copies of the complaint and amendment thereto be denied.

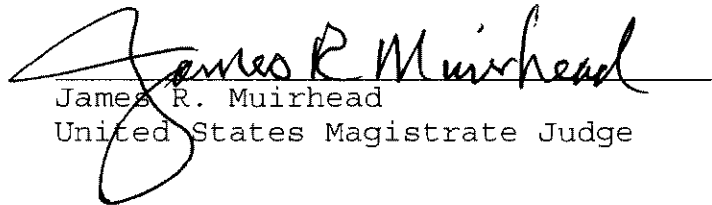
Accordingly, I order that the complaint be served on the defendants. The Clerk's Office is instructed to prepare the summonses for each defendant and deliver to the United States Marshal for the District of New Hampshire ("U.S. Marshal's Office") the summonses and copies of the complaint (document nos. 2 and 5), the report and recommendation and this order. Upon receipt of the necessary documentation, the U.S. Marshal's Office shall effect service upon defendants. See Fed. R. Civ. P.

4(c)(2).

Defendants shall answer or otherwise plead within twenty days of acceptance of service. See Fed. R. Civ. P. 12(a)(1)(A).

Plaintiff is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on the defendants by delivering or mailing the materials to them or their attorneys, pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

Date: February 10, 2006

cc: Kevin D. Hall, pro se